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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 WONGAB CORPORATION,
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14 Plaintiff,

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16 v.
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18 TARGET CORPORATION; et al.,
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20 Defendants.
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Case No. 2:18-cv-02625-JAK-AS
Hon. John A. Kronstadt Presiding

**JOINT STIPULATION
REQUESTING MODIFICATIONS
TO SCHEDULING ORDER IN VIEW
OF TIMING OF MARKMAN
RULING**

1 By and through their attorneys of record, who are set forth below, the parties –
2 Plaintiff Wongab Corporation (“Wongab”) and Defendant Target Corporation
3 (“Target” collectively with Wongab, the “Parties”) – hereby submit this joint request
4 to modify the current scheduling order.

5 WHEREAS when the Court issued its order setting a scheduling conference in
6 this action (Dkt. No. 17) that order included an “EXHIBIT A – SCHEDULE OF
7 PRETRIAL AND TRIAL DATES FOR PATENT CASES” wherein the date for a
8 Markman Decision was designated to be “set by Court” and most subsequent dates
9 were slated to be scheduled for certain numbers of weeks “After Markman Decision.”

10 WHEREAS following the Parties’ submission of a Joint Report and the
11 completion of the scheduling conference in this action, the Court issued an order (the
12 “Scheduling Order”) scheduling the Markman Hearing for November 19, 2018, and
13 an “Anticipated Ruling to be Issued on Markman Hearing” for December 17, 2018.

14 WHEREAS the Markman Hearing was held on December 10, 2018.

15 WHEREAS several of the events for which deadlines were set in this action
16 require a Markman Decision be entered before they can be appropriately completed.

17 WHEREAS no Markman Decision has yet been issued by the Court.

18 NOW, THEREFORE, the Parties stipulate and respectfully request that this
19 Court modify the Scheduling Order and continue each of the dates originally
20 scheduled to take place after the “Anticipated Ruling to be Issued on Markman
21 Hearing” to equivalently-spaced future dates based on either the date the Court
22 currently anticipates issuing a Markman Decision, or the actual future date on which
23 the Court issues a Markman Decision.

24 For the convenience of the Court, a proposed modified schedule of dates
25 utilizing the spacing suggested in the Court’s template “EXHIBIT A – SCHEDULE
26 OF PRETRIAL AND TRIAL DATES FOR PATENT CASES” (seen Dkt. No. 17) is
27 provided below based on the potential issuance of a Markman Decision on or around
28

February 25, 2019.

<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
Anticipated Ruling to be Issued on Markman Hearing	December 17, 2018	February 25, 2019
Patentee's Deadline to Serve Final Infringement Contentions, Expert Reports on issues Where Patentee has Burden of Proof, All Parties Serve Advice of Counsel Disclosures	January 21, 2019	March 25, 2019
Last day to participate in a settlement conference/mediation	February 15, 2019	April 19, 2019
Accused Infringer's Deadline to Serve Final Invalidity Contentions, Rebuttal Expert Reports, and Opening Expert Reports Where Accused Infringer has Burden of Proof	February 18, 2019	April 22, 2019
Last day to file a notice of settlement or a joint report re status of settlement	February 22, 2019	April 26, 2019
Post Mediation Status Conference	March 4, 2019	May 6, 2019
Patentee's Deadline to Serve Rebuttal Expert Reports on Issues Where Accused Infringer has Burden of Proof	March 18, 2019	May 20, 2019
Expert Discovery Cut-Off	April 15, 2019	June 17, 2019
Last day to file dispositive motions	April 29, 2019	July 15, 2019
Last day to hear motions (including discovery motions)	June 17, 2019	September 2, 2019

1 Dated: February 15, 2019

By: /s/ Scott A. Burroughs
Scott A. Burroughs, Esq.
Trevor W. Barrett, Esq.
DONIGER /BURROUGHS
Attorneys for Plaintiff

5 Dated: February 15, 2019

By: /s/ Willmore F. Holbrow III
Willmore F. Holbrow III, Esq.
Matthew L. Seror, Esq.
BUCHALTER
A Professional Corporation
Attorneys for Defendant
TARGET CORPORATION

11 Pursuant to Civil L.R. 5-4.3.4(a)(2)(i), the filer attests that all other signatories
12 listed, and on whose behalf this filing is submitted, concur in the filing's content and
13 have authorized the filing.